



Docket No. PRD 0022

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : BEERS, Scott et al.

Serial No. : 10/626,155 Art Unit: Not yet Assigned

Filed : July 24, 2003 Examiner: Not yet Assigned

For : Acetylenic Compounds Useful In Treating
Inflammatory Disorders

I hereby certify that this correspondence is being deposited with the
United States Postal Service as first class mail in an envelope addressed
to: Mailstop: Group Art Unit 1614, Commissioner For Patents, Alexandria, VA 22313-1450 on

17 Oct 2003

(Date of deposit)

Matthew B. Zisk, Reg. No. 45,257
(Name of applicant, assignee, or Registered Representative)

MM

(Signature)

16 Oct 2003

(Date of Signature)

Commissioner for Patents
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Dear Sir:

Pursuant to 37 C.F.R. §1.56 and in accordance with 37 C.F.R. §§1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 C.F.R. §1.56(b).

Applicant(s) reserve(s) the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this

information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist.

In accordance with §1.97(b), since this Information Disclosure Statement is being filed either within three months of the filing date of the above-identified national application (other than a continued prosecution application under §1.53(d)), within three months of the date of entry into the national stage of the above identified application as set forth in §1.491, or before the mailing date of a first Office Action on the merits of the above-identified application, or before the mailing date of a first Office Action after the filing of a request for continued examination under §1.114, no additional fee is required.

In accordance with §1.129(a), this Information Disclosure Statement is being filed in connection with the first or second After Final Submission, therefore:

- Statement in Accordance with §1.97(e)
(attached); or
- Please charge Deposit Account No. 10-0750/ / the fee of \$180.00 as set forth in §1.17(p).

In accordance with §1.97(c), this Information Disclosure Statement is being filed after the period set forth in §1.97(b) above but before the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311, or

an action that otherwise closes prosecution and that it is accompanied by one of:

- Statement in Accordance with §1.97(e)
(attached); or
- Please charge Deposit Account No. 10-0750/ / the fee of \$180.00 as set forth in §1.17(p).

In accordance with §1.97(d), this Information Disclosure Statement is being filed after the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311 but before the payment of the Issue Fee. Applicant(s) hereby petition(s) for consideration of this Information Disclosure Statement. Included are: Statement in Accordance with §1.97(e) as set forth below and the fee of \$180.00 as set forth in §1.17(p).

Copies of each of the references listed on the attached Form PTO-1449 are enclosed herewith.

Copies of references listed on the attached Form PTO-1449 are enclosed herewith EXCEPT THAT:

- In view of the voluminous nature of references [list as appropriate], and the likelihood that these references are available to the Examiner, copies are not enclosed herewith.
- If any of the foregoing publications are not available to the Examiner, Applicant will endeavor to supply copies at the Examiner's request.

There are no listed references which are not in the English language.

The relevance of those listed references which are not in the English language is as follows:

Attached are copies of search report(s) from corresponding patent application(s), which are listed on the attached Submission Under MPEP 609 D.

Attached are the following non-published pending patent applications which may be deemed relevant, which are listed on the attached Submission Under MPEP 609 D.

Please charge any deficiency or credit any overpayment to Deposit Account No. 10-0750/PRD 0004-PCT/MZ. This form is submitted in triplicate.

Respectfully submitted,



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DATED: *Oct 16, 2003*



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Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 1 of 1

Application Number	10/626,155
Filing Date	July 24, 2003
First Named Inventor	Scott Beers
Group Art Unit	To be Assigned
Examiner Name	To be Assigned
Attorney Docket Number	PRD 0022

U.S. PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS

OTHER PRIOR ART - NOT PATERIALIZED		
Examiner's Initials*	Cite No. ¹	Include name of the author (in CAPITOL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published
		BIEMOND, P. et al., "Superoxide production by polymorphonuclear leucocytes in rheumatoid arthritis and osteoarthritis: in vivo inhibition by the antirheumatic drug piroxicam due to interference with the activation of the NADPH-oxidase." <i>Annals of the Rheumatic Diseases</i> , 1986, pages 249-255.
		GOULD, P.L. et al., "Salt selection for basic drugs," <i>Int'l. J. Pharmaceutics</i> , 1986, pages 201-217.
		MIESEL, R. et al., "Antiinflammatory Effects of NADPH Oxidase Inhibitors," <i>Inflammation</i> , 1995, pages 347-362, Vol. 19.
		MIESEL, R. et al., "Suppression of Inflammatory Arthritis by Simultaneous Inhibition of Nitric Oxide Synthase and NADPH Oxidase." <i>Free Radical Biology & Medicine</i> , 1996, pages 75-81, Vol. 20, No. 1.
		HANCOCK, B. C., Characteristics and Significance of the Amorphous State in Pharmaceutical Systems," <i>J. Pharm. Sciences</i> , 1997, pages 1-12, Vol. 86, No. 1.
		BIANCA, V.D. et al., "β-Amyloid Activates the O Forming NADPH Oxidase In Microglia Monocytes, and Neutrophils," <i>J. Bio. Chem.</i> , 1999, pages 15493-15499, Vol. 274, No. 22.
		BEGLEY, T.P. et al., "The Biosynthesis of Nicotinamide Adenine Dinucleotides in Bacteria," <i>Vitamins & Hormones</i> , 2001, pages 103-119, Vol. 61.

Examiner Signature		Date Considered	
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***EXAMINER:** Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1.1.1 **Checkmark** **if** **Applicant** **is** **to** **place** **a** **check** **mark** **here** **if** **English** **language** **Translation** **is** **attached**

11.1.1.2.2 hours to complete. Time will vary depending upon the needs of the individual case.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the respondent. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U. S. Patent and Trademark Office, Washington, DC 20231.

DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20591.